IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVN.APPLICATION NO.464 OF 2004

Devraj Ramchandra Garud ... Applicant

versus

Ravalgaon Sugar Farm Ltd.

and another ... Respondent

...

Mrs. S.A. Dhamale, for the Applicant.

Mr.Vijay Vaidya, for Respondent No. 1.

Mr. V.B. Konde Deshmukh, A.P.P., for the Respondent No.2.

...

CORAM : A.M.KHANWILKAR,J.

7th March 2005

P.C.:

. Heard Counsel for the parties. After hearing for some time, Counsel for the Applicant fairly states on instructions of the Applicant who is personally present in Court that the Applicant will not question the correctness of

the decision of the two Courts below against him on merits, but would be content if three months' time to vacate the suit premises is granted to him on furnishing usual undertaking.

. In the circumstances, this application is dismissed as withdrawn. However, the Applicant is granted time to vacate till 31st May 2005 on filing undertaking before this Court on or before 14th March 2005 to the effect that the Applicant and all his family members will vacate the suit premises and hand over vacant and peaceful possession of the suit premises to the Respondent No.1 Company on or before 31st May 2005. Besides the affidavit of the Applicant, who is personally present in Court today and has given assurance through his Counsel, which has been accepted, he shall cause to file affidavit of undertaking on the same lines of all the major members of his family staying along with him in the suit premises.

. Application disposed of on the above terms.

(A.M.KHANWILKAR,J.)